COMPREHENSIVE INDEX OF ADVISORY OPINIONS

by the N. C. BOARD OF ETHICS

Updated February 21, 2006

Actual Conflict of Interest	see Conflict of Interest, in General
Ad hoc advisory subcommittees	see Committees/Sub-Committees
Administration, Department of	
AO 97-002 AO 99-010	
Administration, Secretary of,	
Acceptance of Gifts	see also Gifts & "Freebies"
AO 99-010	see also General Statutes, §143-63
Advertisements/Advertising	see also Promoting Products
AO 89-002	
AO 90-002	
AO 97-003	
AO 98-016	
AO 98-020	
AO 99-010	
AO 05-001 (using board position to promote private)	vate educational programs prohibited)
Advisory Boards/Committees	see also Committees/Sub-Committees;
AO 98-009 (Aeronautics Council)	Jurisdiction
AO 98-010	
AO 98-021 (no jurisdiction over)	
AO 99-014	
AO 00-002	
AO 01-004 (local "advisory committees" for par	
AO 02-001 (informal advisory committee to Rea	
AO 04-001 (distinction b/n "advisory bodies" an	nd Officials on advisory sub-committees)
Advisory subcommittees	see Committees/Sub-Committees
Advocacy Groups	see also Other Organizations,
AO 98-019	Association/Involvement with;
AO 99-014	
AO 00-006	
AO 00-007	
AO 02-003 (soliciting funds for private organiza	
AO 03-001 (contract employment with environn	nental advocacy organization)
1 0 0 0 0 0 0 0 1 11 0 0 0 1 1 1 1 1 1	

AO 03-002 (Public Official's membership in related trade association)

Advocacy Group, Board Member of/

Leadership Position in

AO 99-014

AO 03-002 (Public Official's membership in related trade association)

Advocacy Groups, Disclose Affiliation with

AO 99-014, Question 3

AO 03-001 (contract employment with environmental advocacy organization)

AO 03-002 (Public Official's membership in related trade association; "honorary" member)

Advocacy Group, Non-Profit, Public Interest

AO 99-014, Question 4

-- see also Non-Profit Organizations

Advocacy, Political -- see Political Activities;

-- see also Lobbying

Aeronautics Council [of Dept. of Transportation]

AO-98-009 (advisory board)

-- see also Transportation, Department of

Affecting a Private Interest to a "Greater Extent Than"

AO 90-001

AO 90-003

AO 91-001

AO 98-002

AO 99-008

AO 99-014

AO 01-001 (participating in decision that impacts a private interest creates an appearance)

Affecting Private Interests Equally

AO 88-005

AO 98-002

Alcoholic Beverage Control (ABC) Commission

AO 89-001 (application for industrial revenue bonds)

AO 99-015

Allegations of Conflict of Interest in Lawsuits — see Lawsuits/Litigation

Anonymous Peer Review of Grant Applications

AO 00-005

-- see Peer Review of Grant Applications;

-- see also Grants

"Any Proceeding," Definition

AO 99-014 (includes rulemaking)

-- see also Rulemaking

Appearance of Conflict of Interest

-- see Conflict of Interest, Appearance

Appointment of Committee Members by Chairman

AO 00-005

Appointment of Public Officials

AO 99-001

-- see also School Owners on Boards

Appointees to Boards, Commissions and Councils

AO 90-004

AO 98-001

AO 98-009

AO 99-014

-- see also Boards, Commissions, Councils,
Appointees to;

Art, Museum of

-- see Museum of Art

Athletic Booster Club/Organization

AO 99-015

-- see also "Wolfpack Club"

Attorney General Opinions

AO 89-003

AO 90-003

AO 98-002

Approved Contractor List,

Department of Transportation

AO 99-016

-- see also Transportation, Dept of

Automobiles -- see Motor Vehicles, State-Owned

"Bad Faith" Members

AO 00-007

Bank Boards, Public Officials Serving on

AO 88-004 (Dept. of Commerce official) AO 89-005 (UNC Chancellors Serving on) -- see also University of North Carolina System;

Bank Employee

AO 99-016

Banking Commission

AO 88-003 (stockholdings by family members in regulated banks)

AO 90-002

AO 91-001

Beauty Shop, Ownership Interest in

-- see Ownership Interest in Regulated

Business;

-- see also Conflict of Interest

Benefit, Reasonably Foreseeable -- see "Reasonably Foreseeable Benefit"

-- see also Personal Interest

Bias, in general

AO 91-002

AO 93-002

AO 98-010

-- see also Legal Impartiality/Bias; Bias, Different Standards of

3

AO 98-014 (past service/association with entity) AO 98-021 AO 99-014 AO 99-018 AO 00-007 AO 00-008 AO 02-001 (in quasi-legislative matters) AO 02-002 (legal bias) AO 02-003 (brief mention only) AO 03-002 (in passing re membership in related trade association) AO 04-001C (in passing; general statements re makeup of many public bodies) Bias as a General Preference AO 99-014 AO 02-001 (in quasi-legislative matters) AO 02-003 (brief mention only) AO 04-001C (in passing; general statements re makeup of many public bodies) Bias, Different Standards of -- see also Quasi-Judicial/Quasi-Legislative AO 99-014 AO 00-007 AO 03-002 (Public Official's membership in related trade association) AO 04-001C (in passing; general statements re makeup of many public bodies) **Bias toward Outside Organization** -- see Other Organizations, Association/ Involvement with **Bids/Bidding Process** -- see also Transportation, Department of AO 92-001 AO 99-016 (DOT) Blind, School for the -- see Governor Morehead School "Blind Trust" -- see Divestiture of Interests **Boards, Commissions & Councils, Appointees** -- see Appointees to Boards, Commissions and Councils -- see Advocacy Group, Board Member of; **Board Member of Advocacy Group** -- see also Other Organizations, Association/Involvement with **Board of Directors, Membership on** -- see Other Organizations. Association/Involvement with -- see also Advocacy Group, Board Member **Board of: Cosmetic Art Examiners** -- see Cosmetic Art Examiners, Board of **Dietetics/Nutrition** -- see Dietetics/Nutrition. Board of **Engineers & Surveyors, Examiners** -- see Engineers & Surveyors, Board of **Global Transpark Authority** -- see Global Transpark Authority

Hearing Aid Dealers & Fitters Home Inspector Licensure Licensing Geologists

Massage & Bodywork Therapy

Mortuary Science

Pharmacy

Substance Abuse Professional Certification

Transportation

-- see Hearing Aid Dealers & Fitters Board -- see Home Inspector Licensure Board -- see Licensing of Geologists, Board -- see Massage & Bodywork Therapy, Board

-- see Mortuary Science, Board of

-- see Pharmacy, Board of

-- see Substance Abuse Professional Certification Board

-- see Transportation, Board of

-- see also Transportation, Department of

General Statutes Multiple Public Boards Other Public Boards, Commissions

Bonds

AO 89-001 (industrial revenue bond)

-- see also "In Return for Being Influenced" **Bribery**

AO 98-019

-- see State Budget Policy **Budget**, State

Business Competitor -- see Competitors/Competition

Business/Trade Information -- see Confidential Information;

-- see also Competitors/Competition;

Financial Information

Cars, State-Owned -- see Motor Vehicles, State-Owned

Case-by-Case Determination of Quasi-Judicial

vs. Quasi-Legislative Decision

AO 99-014, footnote 6

-- see also Quasi-Judicial/Quasi-Legislative

Certified Reviewers

AO 99-017 (see also 05-001, p. 5)

AO 05-001 (discusses 99-017 in the context of outside work for a fee)

Chancellors/Vice-Chancellors, UNC System -- see University of North Carolina System

Child Care Commission

AO 98-017

Client, Interest in ("Specific, Substantial, and

Readily Identifiable Financial Interest")

AO 04-001 (consulting work for client on specific petition before public body)

Clients Regulated by/Doing Business with Public Body -- see also Lawyers/Law Firms

AO 98-001 (legal clients) AO 98-007 (legal clients)

5

AO 99-016 (banking clients) AO 04-001

Coastal Resources Advisory Council (CRAC)

-- see also Advisory Boards/Committees

AO 99-014, Question 6

Coastal Resources Commission

-- see also Marine Fisheries Commission;

Marine Fisheries Act; General Statutes:

AO 90-003 AO 93-001

AO 99-008 AO 99-009 AO 99-014

AO 02-001 (referenced in passing; bias and quasi-legislative matters)

Comments/Commentors in Rulemaking AO 99-014

-- see also Quasi-Legislative Proceedings;

Petition/Petitioner for Rulemaking

AO 00-007

AO 03-001 (contract employment with environmental advocacy organization)

AO 03-002 (Public Official's membership in related trade association)

Commission for Health Services

AO 04-001 (Official working for petitioner to public body; ad hoc advisory sub-committees)

Committees/Sub-Committees

-- see also "Sea Grants";

Advisory Boards/Committees

AO 00-002 AO 00-005

AO 01-004 (local "advisory committees" for parks & recreation grants)

AO 02-001 (informal advisory committee to Real Estate Commission)

AO 04-001 (distinction b/n "advisory bodies" and Officials on ad hoc advisory sub-committees)

Competitive Bids/Bidding

-- see Bids/Bidding Process;

-- see also Transportation, Department of

Competitors/Competition

AO 88-005

-- see also Confidential Information;

Financial Information;

AO 91-001 (detriment to competitor is benefit)

AO 93-002 (licensing decisions)

AO 99-017

AO 00-004

AO 04-001 (guidelines also applied to Official's employer's competitors)

AO 05-001 (in context of conducting outside private educational programs for pay)

Computer Equipment, Donation of

-- see Gifts & "Freebies"

-- see also Vendors

Condo Rental to Vendor

-- see Property, Rental

-- see also Gifts & "Freebies"

Conferences, Attendance at

AO 00-001

-- see also Gifts & "Freebies";

Hospitality Rooms

Confidential Information

-- see also Financial Information

AO 99-005

AO 99-017

AO 00-004

AO 03-002 (Public Official's involvement with related trade association)

AO 04-001 (Official's potential use of in context of private employment with applicant)

Conflict Between Executive Order & Other Laws/Policies – Law Controls

AO 98-002

AO 99-004

AO 00-003

AO 00-005

AO 00-006

AO 01-001 (State Building Commission)

AO 01-003 (Mortuary Science Board)

AO 01-005 (Board of Transportation)

AO 04-002 (Rules Review Commission; general statement; footnote 2)

AO 05-001 (Hearing Aid Dealers & Fitters Board)

Conflict of Interest, Actual Conflict Found

-- see also Conflict of Interest, in General

AO 04-001C

-- see also Conflict of Interest, Appearance

AO 05-002 (employer & employee on same board)

Conflict of Interest, Actual vs. Potential

-- see Conflict of Interest, in General

-- see also Conflict of Interest, Appearance

Conflict of Interest, Appearance

-- see also Conflict of Interest, in General

AO 81-002 ("revolving door" situation)

AO 83-004 (potential opportunity to deal with Official's own projects or those in the same area)

AO 90-004 (outside board membership can hurt public perception [cause appearance of conflict]

AO 91-002 (perception of conflict b/c of service on Board of Trustees of private institution)

AO 98-001 (having clients who are regulated by the Official's public body creates appearance)

AO 98-005 (accepting or advocating Official's employer's position would create appearance)

AO 98-010 (Parks & Rec grants: public perception of favoring Official's local board)

AO 98-011 (acceptance of expense-paid trip from vendor creates an appearance of impropriety)

AO 98-015 (Official's participation in hiring process for job he later applied for)

AO 98-026 (involvement with professional organizations can cause an appearance of conflict)

AO 99-002 (rental of ski condo to vendor could cause appearance of conflict of interest)

AO 99-011 (awarding contract to Official's spouse would create an appearance of conflict)

AO 99-012 (performing outside work for company doing business with State creates appearance)

AO 99-013 (acceptance of gift from prior grant recipient could create appearance of conflict)

AO 99-014 (general discussion: flexible standard; "personal interests"; "personal relationship")

AO 99-018 (appearing before public body as representative of other organization; recusal)

AO 01-001 (voting on his/her employer's request would create an appearance of conflict)

AO 01-002 (appearance by meeting in private office of a Board member; public meetings law)

AO 01-003 (appearance due to public body co-sponsoring continuing education course)

AO 01-004 (spouse is mayor of town applying for grant from spouse's public body)

AO 02-002 (board member/school owner's participation in former student's disciplinary action)

AO 02-003 (soliciting money from licensees on behalf of non-public organization – PAC)

AO 03-002 (in passing re Public Official's membership in related trade association)

```
AO 04-001 (Public Official's employment by petitioner in quasi-judicial proceeding)
```

AO 05-001 (in context of in-house continuing education & licensing exam prep courses)

AO 05-002 (serving on same board actual and apparent conflict of interest)

Conflict of Interest, in General

-- see also Conflict of Interest, Appearance

AO 81-002 (appearance of conflict in "revolving door" situation)

AO 83-004 (potential opportunity to deal with Official's own projects or those in the same area)

AO 88-003 (potential conflict due to spouse/child's ownership of stock in regulated bank)

AO 88-005 (industry members; actual vs. potential)

AO 89-005 (University officials' conflicts due to stockholdings and/or board positions on banks)

AO 90-001 (potential conflict due to Official's dual role as chair of county commission)

AO 90-003 (industry members; matters directly affecting Official or their financial interests)

AO 90-004 (outside board membership can hurt public perception [cause appearance of conflict]

AO 91-001 (industry members on licensing boards have a potential conflict of interest)

AO 91-002 (perception of conflict b/c of service on Board of Trustees of private institution)

AO 92-002 (actual vs. potential conflicts – explanation per Interpretive Memo Number One)

AO 98-001 (having clients who are regulated by the Official's public body creates appearance)

AO 98-005 (accepting or advocating Official's employer's position would create appearance)

AO 98-010 (Parks & Rec grants: public perception of favoring Official's local board)

AO 98-011 (acceptance of expense-paid trip from vendor creates an appearance of impropriety)

AO 98-015 (Official's participation in hiring process for job he applied for creates appearance)

AO 98-026 (involvement with professional organizations can cause an appearance of conflict)

AO 99-001 (school owners have a potential conflict when dealing with their own interests)

AO 99-002 (rental of ski condo to vendor could cause appearance of conflict of interest)

AO 99-011 (awarding contract to Official's spouse would create an appearance of conflict)

AO 99-012 (performing outside work for company doing business with State creates appearance)

AO 99-013 (acceptance of gift from prior grant recipient could create appearance of conflict)

AO 99-014 (general discussion: intent of EO 127; different standards in different contexts)

AO 99-018 (appearing before public body as representative of other organization; recusal)

AO 00-004 (potential conflict due to appointment of "interested" persons to public body)

AO 00-006 (potential conflict due to appointment of "interested" persons to public body)

AO 01-001 (voting on employer's request would create an appearance of conflict; potential COI)

AO 01-002 (appearance by meeting in private office of a Board member; public meetings law)

AO 01-003 (appearance due to public body co-sponsoring continuing education course)

AO 01-004 (elected official of local government applying for grant has conflict)

AO 02-001 (none re appointment of "interested" member to informal advisory committee)

AO 02-002 (board member/school owner's participation in former student's disciplinary action)

AO 02-003 (soliciting money from licensees on behalf of non-public organization – PAC)

AO 03-002 (in passing re Public Official's membership in related trade association)

AO 04-002 (unrelated lawsuits with no conflict/appearance of conflict allegations vs Official)

AO 04-001 (Public Official's employment by petitioner in quasi-judicial proceeding; actual con.)

AO 05-001 (in context of in-house continuing education & licensing exam prep courses)

AO 05-002 (serving on same board actual and apparent conflict of interest)

Conflict of Interest, Potential

-- see Conflict of Interest, in General

-- see also Conflict of Interest, Appearance

Conservation Council of NC

-- see also Environmental Advocacy Groups

AO 00-007 (employment with environmental advocacy organization)

Consultants, Professional

-- see also Conflict of Interest

AO 89-004

AO 90-003

AO 03-001 (independent contractor for environmental advocacy organization)

AO 04-001B & C (employment with applicant to Official's public body)

Contested Cases

AO 99-014

AO 00-007

Continuing Education, Teaching/Sponsoring -- see also Seminars/Presentations;

Exam Review Classes, Teaching: Sponsors, Continuing Education

AO 98-020 (but see 99-003)

AO 99-001

AO 89-002

AO 99-003 (supersedes 98-020)

AO 99-005

AO 01-003 (public body co-sponsoring continuing ed. course with private trade association)

AO 05-001 (in-house continuing education and examination preparation courses)

Contracting with Company Owned by

Public Official's Spouse -- see Spousal Interests

-- see also Familial Interests

-- see also Contracting with Regulated

General Statutes

Entities or Persons;

Contracting with the State

AO 81-002

AO 83-003

AO 83-004

AO 89-005

AO 90-002

AO 92-001

AO 97-002

AO 97-003

AO 98-005

AO 98-011

AO 99-004

AO 99-010

AO 99-011

Contracting with Regulated Entities or

-- see also Contracting with the State

Persons

AO 89-004

AO 90-003

AO 97-002

AO 98-001

AO 98-007

AO 98-020

AO 99-002 AO 99-017

Contractor List, Approved

AO 99-016

-- see Approved Contractor List,

Department of Transportation

-- see also Transportation, Dept of

Contractor paying for site visit

-- see Expense-paid trips, meals, etc.

-- see also Gifts & "Freebies"

Controlling Authority (Law vs. Order)

-- see Conflict Between Executive Order &

Other Laws/Policies;

Cosmetic Art Examiners, Board of

AO 88-005 AO 99-002

Council of State, members of

AO 91-002

County Commissioners

-- see also Local Government Officials

AO 90-001 (Mecklenburg County)

Credit Union Commission

AO 98-001

Crime Commission

-- see Governor's Crime Commission

-- see also Bias; Legal Impartiality/Bias

Crump vs. Board of Education case

AO 99-014

AO 00-007

AO 02-002, footnote 2 (in context of determining "legal bias")

AO 03-001, footnote 1 (contract employment with environmental advocacy organization)

AO 04-001, footnote

Cultural Resources, Dept. of

AO 98-018

Deferred Compensation Plan

AO 99-002

Department of:

Administration -- see Administration, Dept. of

Cultural Resources -- see Cultural Resources, Dept. of

Environment & Natural Resources -- see Environment & Natural Resources,

Dept. of

Health & Human Services -- see Health & Human Services, Dept. of

Revenue -- see Revenue, Dept. of

Transportation -- see Transportation, Department of;

-- see also Transportation, Board of;

General Statutes;

Multiple Public Boards;

Other PublicBoards/Commissions

Designated Seat/Position on Public Body

-- see also Representation of Various

AO 88-005 (general principles; actual vs. potential)

Interests/Perspectives;

AO 90-003 (industry member appointees; general principles)

AO 91-001 (industry members on licensing/regulatory boards have potential conflict)

AO 98-002 (Marine Fisheries Commission)

AO 98-005 (Environmental Management Commission)

AO 98-010 (Parks & Recreation Authority; Question #5)

AO 99-001 (school owners neither required nor prohibited from appointment)

AO 99-007 (Authority must include members with technical/legal expertise in regulated area)

AO 99-008 (Marine Fisheries Commission)

AO 99-014, Question 1 (Coastal Resources Commission)

AO 00-004 (required interested appointees to regulatory boards have potential conflict)

AO 00-006 (required interested appointees to regulatory boards have potential conflict)

AO 01-001 (University system representative on State Building Commission)

AO 03-002 (related trade associations or industry groups)

AO 04-001 (level/degree of statutory designation; Comm. for Health Services; consultant)

Dietetics/Nutrition, Board of

AO 99-017

Dinner and Reception for Public Officials

-- see also Meals, Free

AO 98-019 (EMC & NCCBI)

-- see also Gifts & "Freebies"

Disclosure, in General

AO 83-003

AO 83-004

AO 88-003

AO 96-002

AO 98-010

AO 98-014

AO 99-014

AO 99-018

AO 00-007

AO 03-001 (contract employment with environmental advocacy organization)

AO 03-002 (Public Official's membership in related trade association)

AO 04-001 (of private employment with applicant to Official's public body)

Disclosure, Affiliation with Advocacy Group

-- see Advocacy Groups, Disclose

AO 99-014, Question 3

Affiliation with;

AO 00-007

AO 03-001 (contract employment with environmental advocacy organization)

AO 03-002 (Public Official's membership in related trade association)

Disclosure, of Consulting Arrangement

AO 04-001 (of private employment with applicant to Official's public body)

Disclosure, of Employment Relationship

AO 04-001 (of private employment with applicant to Official's public body)

AO 05-002 (of employee and employer serving on the same board)

Discussion Only (No Vote)

- -- see Recusal
- -- see also Non-Voting Members; Ex Officio Members
- -- see also "Lobbying"/Trying to influence a

decision or vote

Disqualification from one

not disqualification from all, Grant award

AO 98-010

-- see also Grants;

Statutorily Described/Mandated Representation on Boards

Diversity of Representation on Boards/Commissions

AO 00-004

Divestiture of Interests

AO 89-003 (mutual funds)

AO 96-002

-- see also Stocks/Stock Funds;

-- see also Mutual Funds

Door Prizes -- see Gifts & "Freebies"

Donations

-- see also Gifts & "Freebies"

AO 97-003 (donation to State)

-- see also Solicitation of Donations

AO 00-001 (to professional organizations for meeting expenses) AO 00-007 (soliciting donations on behalf of non-profit employer)

AO 02-003 (soliciting donations for political action committee)

Dual Office Holding

AO 89-006

AO 90-001

AO 92-001

"Due Diligence" Procedures for Identifying Conflicts

AO 99-016 (Board of Transportation/statewide financial institution)

Due Process Concerns, Fair and Impartial Decision-maker

AO 99-014

Dues/Membership Dues

AO 00-007

AO 03-001 (contract employment with environmental advocacy organization)

AO 03-002 (waiver of dues for "honorary" member in related trade association)

Education

```
Elected Officials
                                                        -- see also Local Government Officials
       AO 89-006
       AO 90-001
       AO 97-001
       AO 97-003
       AO 98-010
       AO 98-014
       AO 99-013
       AO 99-014, Ouestion 5
       AO 01-004 (spouse is mayor of local government applying for a grant)
Employee-Employer Relationship
       AO 91-001 (Banking Commission member is officer in bank impacted by Commission decision)
       AO 93-002 ("personal interest" includes employees or former employees)
       AO 98-005 (potential conflict due to public agency's use of employer's data to make regulations)
       AO 99-001
       AO 99-007
       AO 99-012
       AO 99-016
       AO 99-018
       AO 00-007
       AO 01-001 (voting on his/her employer's request would create an appearance of conflict)
       AO 01-004 (interests generally equated for conflict of interest analysis)
       AO 03-001 (contract employment with environmental advocacy organization)
       AO 04-001 (contract employment with private company petitioning Official's public body)
       AO 05-002 (serving on same board actual conflict of interest; interests equated; loyalty assumed)
Employment, Conflict with
       AO 88-005
       AO 89-004
       AO 90-004
       AO 91-001
       AO 92-001
       AO 92-002
       AO 93-002
       AO 98-005
       AO 98-007
       AO 98-015 (board member going to work for the board)
       AO 99-001
       AO 99-004
       AO 99-007
       AO 99-012
       AO 99-016
       AO 99-018
       AO 04-001 (private consulting work for company petitioning Official's public board)
Engineers & Surveyors, Board of Examiners for
       AO 98-020
       AO 99-003
       AO 99-005
```

AO 05-001 (mentioned re members teaching continuing education courses; opinions discussed)

Environmental Advocacy Groups/Organizations

-- see Advocacy Groups

Environment & Natural Resources, Dept. of

AO 98-005

Environmental Management Commission

AO 90-001

AO 98-005

AO 98-014

AO 98-019

AO 00-007

AO 00-008

AO 03-001 (contract employment with environmental advocacy organization)

AO 04-002 (lawsuit vs RRC over rejected rules; not conflict for resolution of unrelated rules)

Ethics Codes

AO 92-002

AO 93-001

AO 01-005 (Board of Transportation)

Exam Questions, Access to -- see also Continuing Education, Teaching

AO 99-005 (Engineers & Surveyors) AO 05-001 (in-house programs)

Exam Questions, Preparing -- see also Continuing Education, Teaching

AO 05-001 (in-house programs)

Exam Review Classes, Teaching -- see also Continuing Education, Teaching

AO 05-001 (in-house programs)

Exchange of Real Estate -- see Real Estate

Executive Budget Act -- see also State Budget Policy

AO 99-010

Executive Order, Interpretation of

AO 99-014

Executive Order & Other Laws/Policies, -- see Conflict Between Executive **Conflict Between** Order & Other Laws and

Policies

Executive Order, Overall Spirit of

AO 99-014

AO 01-001 (in the context of indirect "lobbying" or trying to influence a decision)

Exempt Employees -- see also State Personnel Act

AO 98-018

Ex Officio Members -- see also Non-Voting Members

AO 00-003 **Expectation of Reward for Gift/Donation** -- see also Gifts & "Freebies" AO 97-003 **Expense-paid trips** -- see also Gifts & "Freebies" AO 83-003 (to France) AO 98-011 (trip to visit prospective contractor) **Familial Interests** -- see also Spousal Interests AO 88-003 AO 99-011 (spouse's interest in company hoping to do business with public body) AO 01-004 (spouse is mayor of town applying for grant from spouse's public body) AO 05-002 (fn 3; husbands & wives serving on same board) Fees, Speaking -- see Speaking Fees **Financial Benefit** -- see also Financial Benefit, Reasonable AO 02-003 (includes benefit organization – PAC) AO 05-001, footnote 2 (receipt of per diem or travel reimbursement not a "financial benefit") -- see also Financial Interests Financial Benefit, Reasonable AO 99-015 AO 01-004 (not typical financial benefit) AO 02-003 (includes benefit to other organization – PAC) AO 05-001, footnote 2 (receipt of per diem or travel reimbursement not a "financial benefit") **Financial Connection between Public Officials** -- see also Financial Interests, in General AO 05-002, footnote 2 (work relationship) -- see also Employer-Employee Relationship **Financial Information** -- see also Confidential Information AO 99-017 AO 00-004 Financial Interests, in General AO 89-003 (Commissioner's ownership of mutual funds did not cause a conflict of interest) AO 90-004 (includes employment, stock ownership) AO 91-001 (a "reasonably foreseeable benefit" includes a detriment to a business competitor) AO 98-002 AO 98-005 (in context of employer-employee relationship) AO 99-005 AO 99-008

AO 99-014

AO 99-015

AO 99-017

AO 00-004

AO 00-007

AO 01-001 (in context of employer-employee relationship; intent to acquire)

AO 01-003 (sharing "profits" with trade association could result in "financial gain")

AO-01-004 (spousal interests are generally equated for conflict analysis)

AO 02-002 (board member/school owner's participation in former student's disciplinary action)

AO 03-001 (contract employment with environmental advocacy organization)

AO 04-001 (in context of private employment with applicant to Official's public body)

AO 05-001 (in context of conducting outside private educational programs for pay)

AO 05-002 (in context of employer and employee serving on same public body)

Financial Interest, Intent to Acquire

-- see Intended Acquisition of Interest

Fishery Resource Grant Program

AO 00-005

-- see also "Sea Grants" General Statutes

Foreign Countries, Expense-Paid Trips to

AO 83-003 (trip to France)

-- see also Gifts & "Freebies" -- see also Expense-paid trips

Foreign Countries, Gifts from

AO 96-002

-- see also Gifts & "Freebies"

Former Mayor of a municipality

AO 98-014 AO 00-008

-- see also Former/Past association with an

organization or group

AO 02-002 (cited as example in context of disciplinary action against former student at school)

Former/Past association with an organization or group -- see also Time removed from potential conflict situation

AO 98-010

AO 98-014

AO 00-004

AO 00-008

AO 02-002 (former student of school owner/board member)

AO 03-001 ("cooling off" period after employment with environmental advocacy organization)

Former Students -- see Students/Former Students

-- see "Reasonably Foreseeable Benefit" **Foreseeable Benefit**

-- see also Personal Interest

-- see Gifts & "Freebies" "Freebies"

Free Lunches -- see Meals, Free

-- see also Gifts & "Freebies"

Free Meals -- see Meals, Free

-- see also Gifts & "Freebies"

Fundraising Committees

AO 02-002 (soliciting donations from licensees on behalf of Political Action Committee) AO 05-003 (service on non-profit political research organization's fundraising committee)

General Statutes (NC)

§ 14-234

Contracting for Own Benefit Unlawful

AO 98-015 AO 98-021

16

AO 99-004 AO 99-016 AO 00-001 AO 00-002	
§ 18B-1116 AO 99-015	Exclusive Outlets Prohibited (Alcoholic Regulations)
§ 89E-2	Licensing of Geologists Board
§ 90-210 AO 01-003	Board of Mortuary Science
§ 90-351 AO 99-017	Dietetics/Nutrition Board, Purpose
§ 90-620 AO 00-004	Massage & Bodywork Therapy Practice
§ 90-625 AO 99-001	Board of Massage & Bodywork Therapy
§ 93A 1-11 AO 00-001	Real Estate Brokers and Salesmen
§ 93D-3 AO 05-001	Hearing Aid Dealers & Fitters Board
§ 99-D AO 99-018	Civil Rights
§ 113-200 AO 00-005	Fishery Resource Grant Program
§ 113A-102(A) AO 99-014	Legislative Findings and Goals (Coastal Area Management)
§ 113A-104 AO 99-014	Coastal Resources Commission (Coastal Area Management)
\$ 133-32 AO 99-010 AO 99-016 AO 00-001	Gifts and Favors Regulated
§ 136-13 AO 99-016	Malfeasance of Officers/Employees of the Department of Transportation
§ 136-14 AO 99-004 AO 99-016	Members Not Eligible for Employment Within the Department of Transportation

§ 140-5.12 Museum of Art AO 98-018 Financial Interest of Officers in Sources § 143-63 AO 99-010 of Supply; Acceptance of Bribes (State Departments, Institutions, Commissions) § 143-135.28 **State Building Commission** § 143-318 Open Meetings Law § 143B-168.4 Child Care Commission, Members, Selection AO 98-017 **Environmental Management Commission** § 143B-282(a) AO 00-008 (Creation) **Environmental Management Commission** § 143B-283(a)(10) AO 98-005 (Appointment) Marine Fisheries Act § 143B-289 AO 98-021 AO 99-008 AO 00-006 § 143B-289.54(g) Marine Fisheries Commission AO 00-005 § 143B-313 Parks & Recreational Council AO 98-010 AO 01-004 (PARTF grants) § 143B-350 Board of Transportation, Organization, Powers & Duties AO 00-003 AO 01-005 Administrative Procedure Act § 150B-21.2 AO 99-014 § 160A-600 Regional Public Transportation Authority AO 00-003 Act Regional Transportation Authority § 160A-630 AO 00-003 Gifts & "Freebies" -- see also General Statutes AO 83-003 (expense-paid trip to France) AO 96-002 (from foreign countries/during overseas trips) AO 97-003 (donation of computer equipment to State)

AO 98-011 (expense-paid business trip to visit prospective contractor)

AO 98-016 (solicitation of gift incentives from other State agencies/United Way)

AO 98-019 (reception and dinner in honor of Public Officials)

AO 99-002 (rental of ski condo to vendor)

AO 99-010 (State agency's solicitation of gifts or donations)

AO 99-013 (gift from prior/prospective grant recipient)

AO 00-001 (open social events at national conferences)

Global Transpark Authority

AO 92-003

Governor Morehead School

AO 92-001

Governor's Crime Commission

AO 00-002

Governor's Office

AO 96-002

AO 97-001

Grants

-- see also "Sea Grants";

AO 98-010 (see also AO 01-004)

Peer Review of Grant

AO 99-013 (gift from prior/prospective grant recipient)

Applications

AO 99-014, footnote 6 (quasi-judicial decision)

AO 00-002 (Officials should not vote on grant requests from their own agencies)

AO 00-005 ("Sea Grant"; connection between grant applicant and grants review committee)

AO 01-004 (Parks & Recreation Trust Fund grants; members' connections to applicants)

"Greater Extent Than"

-- see Affecting a Private Interest to a "Greater Extent Than":

-- see also Private Interests

Health & Human Services, Dept. of

AO 98-011

Hearing Aid Dealers & Fitters Board

AO 98-026

AO 05-001 (members' involvement with in-house education and licensing exam preparation)

AO 05-002 (employer and employee serving on same board was an actual conflict)

High Potential for Conflict of Interest

AO 90-003

AO 02-003 (soliciting donations from licensees on behalf of PAC)

Hiring Board Member

-- see also Employment, Conflict with

AO 98-015 (board member going to work for the board)

"Hiring Yourself"

-- see Hiring Board Member

-- see also Employment, Conflict with

Home Inspector Licensure Board

AO 98-015 (board member going to work for the board)

Honoraria -- [Note: as of January 12, 2001, EO One AO 83-003 eliminated coverage of honoraria] AO 89-002 (guidance to board members) AO 96-001 AO 97-001 AO 98-020 **Hospitality Rooms** -- see also Gifts & "Freebies" AO 00-001 (at national conferences) Housing Authority, Regional -- see Regional Housing Authority **Housing Finance Agency** AO 83-004 **Human Relations Commission** AO 99-018 Husbands and Wives, in General -- see Spousal Interests AO 05-002, footnote 3 (serving on same board) -- see also Familial Interests Husbands and Wives, Serving on Same Board -- see Spousal Interests -- see also Familial Interests AO 05-002, footnote 3 (cf. employer-employee) Improper use of official position -- see also General Statutes AO 89-002 AO 92-002 AO 98-002 AO 98-015 AO 98-020 AO 02-003 (soliciting donations from licensees on behalf of PAC) AO 05-001 (using position to promote private programs prohibited) **Incentives** -- see Gifts & "Freebies" Identification as Board Member in Advertisement -- see Advertisements/Advertising **Independent Contractor** AO 05-002 (employee & employer on same board) **Independent Contractor vs. Employee** -- see also Employee-Employer Relationship AO 05-002 (employee & employer on same board) **Indirect Action/Influence** -- see "Lobbying"/Trying to Influence ... **Individuals. Order covers** -- see also "Jurisdiction"

AO 04-002 (Order/BOE covers individuals, not public bodies)

20

Industrial Revenue Bonds

-- see Bonds

Industry as a Whole, decisions affecting

AO 88-005 AO 00-004

"Industry Representatives"/Appointees

-- see Designated Seat/Position ...;

-- see also Representation of Various Interests/Perspectives;

"Inevitable" Conflicts/Appearance of Conflict

AO 00-016

-- see also Conflict of Interest, in General

Influencing other Officials/Votes

-- see "Lobbying"/Trying to influence a

decision or vote

In-House Continuing Education & Licensing Examination Preparation Courses/Programs

AO 05-001 (Hearing Aid Dealers Board)

-- see Continuing Education, Teaching/Sponsoring

"In Return for Being Influenced"

AO 98-019

Institute of Government

AO 00-001

Intended Acquisition of Interest

AO 01-001

Intentional Violation

AO 99-016

"Internal" Lobbying of Own Board

-- see "Lobbying"/Trying to Influence ...

Interpretative Memorandum Number One

AO 83-003 AO 92-002

"Invisible Consultant"

-- see also Consultants

AO 04-001C (Public Official working for applicant to Official's public body)

Involvement with those being Regulated

-- see Other Organizations, Association/

Involvement with

Judges

AO 89-006

Jurisdiction

-- see also Limitations on Board of Ethics'

Jurisdiction/Responses

AO 89-006

AO 93-003

AO 98-018

AO 98-021 (no jurisdiction over advisory boards)

AO 99-001 AO 99-004 AO 99-010 AO 99-012 AO 99-016 AO 00-002 AO 00-003 (limitations on Board of Ethics' jurisdiction; Department/Board of Transportation) AO 01-001 (other conflict statutes apply; law controls) AO 01-002 (Geologists Licensing Board; Open Meetings Law; law controls) AO 04-001 AO 04-002 (limited; Board covers individuals, not public bodies) **Knowing/Intentional Violation** -- see Intentional Violation **Law Controls over Executive Order** -- see Conflict Between Executive Order & Other Laws/Policies; Laws/Statutes -- see General Statutes (NC) Lawsuits/Litigation AO 04-002 (unrelated lawsuits with strictly legal/constitutional challenges do *not* create conflict) Lawyers/Law Firms -- see also Public Interest Law Firms AO 93-002 AO 98-001 AO 98-007 (members of firm doing work for DOT) AO 98-022 AO 99-004 (law partner doing title examinations for DOT) AO 99-014 **Leadership Position in Advocacy Group/ Outside Organization** -- see Advocacy Group, Board Member of **Leaving State Employment** -- see Post-State Service/Employment ("Revolving Door") **Legal Action against Public Body** -- see "Lawsuits/Litigation" Legal Impartiality/Bias -- see also Bias, in General AO 99-014 AO 00-007 AO 00-008 AO 01-001, footnote 3, page 4 AO 02-002 (legal bias) AO 03-001, footnote 1 (general statement) AO 03-002 (in passing re Public Official's membership in related trade association) AO 04-001

Legal Advice, Board of Ethics role in providing

AO 00-001 AO 00-006

Legal Issues/Questions AO 98-017 (statutory qualifications for appointment) AO 98-021 (compliance with statutory requirements) AO 99-001 AO 99-004 AO 99-014 AO 99-016 (DOT) AO 00-001, footnote 2

AO 01-001

AO 01-005 (Board of Transportation)

AO 04-002 (unrelated lawsuits with strictly legal/constitutional challenges do not create conflict)

AO 05-001 (interpretation of Hearing Aid Dealers & Fitters Board statute)

License Issuance/Review

-- see also Licensing Boards

AO 88-005 (licensed by board/potential conflict)

AO 93-002

Licensing Boards

-- see also General Statutes

AO 88-005 (licensed by board/potential conflict)

AO 89-002 (speaking fee for addressing licensees)

AO 90-003

AO 91-001

AO 93-002

AO 98-020

AO 98-026

AO 99-005

AO 99-017

AO 01-002

Licensing Examinations, Teaching

-- see Teaching Review Classes for

Licensing Examinations

-- see also Continuing Education

Licensing of Geologists, Board for

AO 01-002

Lieutenant Governor, Office of

AO 97-003

AO 05-003 (service on unrelated non-profit political research organization's committee)

Limitations on Board of Ethics Jurisdiction/

-- see also Jurisdiction

Responses

AO 99-012 (DOT)

AO 99-016 (DOT)

AO 00-002

AO 00-003

AO 00-005

AO 01-001

AO 01-005 (Board of Transportation)

AO 04-002 (limited jurisdiction; Board covers individuals, not public bodies) AO 05-001 (interpretation of Hearing Aid Dealers & Fitters Board statute)

Litigation against Public Body

see Lawsuits/Litigation

Lobbying the General Assembly/Legislature

AO 99-017 ("political advocacy" on behalf of federal legislation was not a conflict of interest) AO 00-007, question 8, page 6

"Lobbying"/Trying to influence a decision or vote

AO 90-003 (should not participate, vote, influence or attempt to influence)

AO 91-001 (should not influence or attempt to influence matters)

AO 93-002 (should not influence or attempt to influence matters)

AO 99-008

AO 00-002

AO 01-001

AO 01-004 (recusal from process includes discussion and "lobbying")

AO 04-001

Local Government Officials

-- see also Elected Officials

AO 90-001 (County Commissioner on EMC)

AO 98-010

AO 98-014, Question 5

AO 99-013

AO 99-014

AO 01-004 (spouse is mayor of grant applicant)

Long Distance Telephone Calls

-- see Telephone, Use of State

Low-Level Radioactive Waste Management Authority

AO 90-004

AO 99-007

Lunches/Free Lunches

-- see Gifts & "Freebies"

Marine Fisheries Act

-- see also "Sea Grants"

AO 00-005

Marine Fisheries Commission

General Statutes

Marine Fisheries Commission

-- see also "Sea Grants"

AO 98-002 AO 98-004

Marine Fisheries Act **General Statutes**

AO 98-021

AO 99-008

AO 00-005

AO 00-006

Massage & Bodywork Therapy, Board of

AO 99-001

AO 00-004

AO 02-002 (board member/school owner's participation in former student's disciplinary action)

Matching Grants -- see Grants

Mayor of a Municipality -- see Former Mayor of a municipality

Meals, Free -- see also Gifts & "Freebies"

AO 98-019 AO 00-001

Medical Board

AO 02-003 (soliciting donations from licensees on behalf of PAC)

Meetings, Social Events/Meals at -- see also Gifts & "Freebies"

AO 00-001

Members/Membership Organization

AO 99-014 AO 00-007

AO 03-001 (contract employment with environmental advocacy organization)

AO 03-002 (Public Official's membership in related trade association)

Membership in Other *Public* **Organizations/Boards** -- see Other *Public* Organizations or Boards

Monitoring, Private Affairs for Conflict of Interest

AO 98-007 AO 99-016

"Moonlighting" -- see Secondary Employment

Morehead School -- see Governor Morehead School

Mortuary Science, Board of

AO 01-003

Motor Vehicles, State-Owned

Multiple *Public* Boards/Commissions -- see Membership in Other *Public*

Organizations or Boards

Museum of Art

AO 98-018

Mutual Funds -- see also Stocks/Stock Funds

AO 89-003

NCFREE

AO 05-003 (Lt Governor's service on organization's promotional/fundraising committee)

-- see also Wolfpack Club NC State University/NCSU AO 99-015 -- see Gifts & "Freebies" Nominal Value, Gifts of **Non-Profit Organizations/Entities** -- see also Other Organizations, AO 97-001 Association/Involvement with AO 97-002 (National Association of Americans with Disabilities) AO 98-005 (Research Triangle Institute) AO 98-021 AO 99-014 -- see also Professional Organizations/Trade AO 99-015 Associations AO 99-018 -- see also Advocacy Groups AO 00-007 AO 02-003 (political action committee) AO 03-001 (contract employment with environmental advocacy organization) AO 03-002 (Public Official's membership in related trade association) AO 05-003 (service on non-profit political research organization's fundraising committee) **Non-Voting Members** -- see also Ex Officio Members AO 00-003 **North Carolina General Statutes** -- see General Statutes (NC) **Occupational Licensing Boards** -- see Licensing Boards Office of the Governor -- see Governor's Office Office of the Lieutenant Governor -- see Lieutenant Governor "Open Meetings Law" AO 01-002 **Other Laws** -- see also Executive Order & Other Laws, AO 00-003 Policies, Conflict Between AO 01-003 Other Organizations, Association/Involvement with -- see also Other *Public* Organizations ... AO 89-005 (director of bank) AO 90-004 -- see also Professional Organizations/Trade AO 97-001 Associations AO 97-002 AO 98-005 AO 98-010 (local government's advisory board) AO 98-021 AO 98-026 AO 99-007 AO 99-014 (multiple associations/connections with outside organizations; major decision) AO 99-015 AO 99-018

AO 00-003

AO 00-004

AO 00-006

AO 00-007 (employee of private, tax-exempt, non-profit corporation)

AO 01-001

AO 01-003 (trade associations)

AO 01-005 (Board of Transportation member's company doing business with)

AO 02-003 (director of political action committee; soliciting donations for PAC)

AO 03-001 (contract employment with environmental advocacy organization)

AO 03-002 (Public Official's membership in related trade association)

AO 05-003 (service on non-profit political research organization's fundraising committee)

Other Public Organizations or Boards,

-- see also Other Organizations ...

Membership in/Involvement with

-- see also Former/Past Association with an Organization or Group

AO 98-010 (local government's advisory board)

AO 00-003

AO 01-001 (University representative on State Building Commission)

AO 03-002 (Public Official's membership in related trade association)

Outside Employment

-- see Secondary Employment

Outside Professional Activities

-- see Other Organizations, Association/

Involvement with

Overseas Trips, Gifts during

-- see Gifts & "Freebies"

-- see also Expense-Paid Trips

Ownership Interest in Regulated Business

-- see also Conflict of Interest

AO 83-004 (Housing Authority member/owner)

AO 88-005

Parks and Recreation Authority AO 98-010

-- see also Parks & Recreation Trust Fund

General Statutes

AO 99-013 Grants

AO 01-004 (members' connections to PARTF applicants)

Parks and Recreation Trust Fund

AO 98-010

-- see also Parks & Recreation Authority

Grants

AO 01-004 (members' connections to applicants)

General Statutes

Parks and Recreation Trust Fund Matching Grants

-- see also Grants

AO 99-013 (gift from prior/prospective recipient)

"Participant" in a proceeding

AO 99-014

AO 00-006

AO 01-005 (Board member's company not a participant)

AO 03-002 (Public Official's membership in related trade association)

Past Association/Involvement with a Group

-- see Former/Past association with an organization or group

Per Diem, Statutory

AO 05-001, footnote 2 (receipt of per diem or travel reimbursement not a "financial benefit")

Peer Review of Grant Applications

AO 00-005

-- see also Grants;

Anonymous Peer Review of Grant Applications

Pending Lawsuits/Litigation

Perfection Not Required

-- see also Inevitable Conflicts

-- see "Lawsuits/Litigation

AO 99-016

"Personal Interest"

AO 93-002 (employees or former employees)

AO 98-007

AO 98-010

AO 98-014

AO 99-014

AO 99-015

AO 00-003

AO 00-008

AO 01-003 (broader than strictly financial or familial interests)

AO 02-002 (broader; can include a former association with a participant in a proceeding)

AO 03-002 (Public Official's "honorary" membership in a related trade association)

Personal Relationships with Regulated Persons/Entities

AO 93-002

AO 99-014

AO 00-003

AO 00-006

AO 03-002 (Public Official's membership in related trade association)

Personnel Act, State

-- see State Personnel Act, Board of Ethics

involvement with

Personnel, State Law and Policy

-- see State Personnel Law & Policy

Petition/Petitioner for Rulemaking

AO 99-014

AO 00-006

AO 00-007

AO 03-001 (contract employment with environmental advocacy organization)

AO 03-002 (Public Official's membership in related trade association)

AO 04-001 (Official's employer was petitioner)

Pharmacy Board

AO 04-002 (lawsuit vs RRC over rejected rules; not conflict for resolution of unrelated rules)

Policy-Making Position in an Organization/Group

-- see also "Personal Relationships"

AO 99-014

AO 03-002 (general discussion re Public Official's membership in related trade association)

Political Action Committees

AO 02-002 (soliciting donations from licensees on behalf of PAC)

Political Activities

-- see also Lobbying the General Assembly

AO 99-017

AO 00-007

AO 02-003 (soliciting donations from licensees on behalf of PAC)

Political Advocacy, Federal Legislation

AO 99-017

Post-State Service/Employment ("Revolving Door")

AO 81-002

Potential Conflict of Interest

-- see Conflict of Interest, in General

"Practical Banker"

-- see Banking Commission

Previous Employment/Service

AO 93-002

AO 98-010

AO 98-014

AO 90-003

AO 03-001 (contract employment with environmental advocacy organization)

Primary Benefit to Public Official

-- see also Promoting Business through

Public Position;

Prior Association with an Organization or Group

-- see Former/Past association with an

organization or group

– see also Time removed from potential

conflict situation

Prior Grant Recipient, Gift from

-- see Grants

-- see also Gifts & "Freebies"

Private Benefit from Public Position

-- see Promoting Business through

Public Position

Private Consultant/Consulting Work -- see Consultants, Professional

Private Employment after Public Service -- see Post-State Service/Employment

("Revolving Door")

Private Employment Negotiations -- see Post-State Service/Employment

("Revolving Door")

Private Interests -- see Affecting a Private Interest to a

"Greater Extent Than":

"Greater Extent Than"

Private, Non-Profit Organizations -- see Non-Profit Organizations

Private Protective Services Board

AO 03-002 (Public Official's membership in related trade association)

Prizes -- see Gifts & "Freebies"

Product Promotion/Endorsement -- see Promoting Products

-- see also Advertisements; Continuing Education,

Teaching/Sponsoring;

Professional Consultants -- see Consultants, Professional

Professional Organizations/Trade Associations -- see also Other Organizations,

Association/Involvement with

AO 98-019 -- see also Advocacy Groups

AO 98-026

AO 00-001

AO 00-004

AO 01-003 (general principles; potential conflict; co-sponsoring continuing ed. courses)

AO 02-002 (general discussion in context of political action committee)

AO 03-002 (major opinion & analysis)

Professional Organizations/Trade Associations,

Accepting Fees to Speak to -- see Speaking Fees

Professional Schools

AO 99-001

Promoting Business through Public Position

AO 98-020 (discussed in 05-001)

AO 05-001

Promoting Products -- see also Continuing Education,

AO 88-005 Teaching/Sponsoring;

AO 89-002 Advertisements

Property, Rental -- see also Gifts & "Freebies"

AO 99-002

Property, State -- see State Property

Prospective Grant Recipient, Gift from -- see Grants

-- see also Gifts & "Freebies"

Protecting the Public Interest -- see Public Interest, Protecting the

Public Boards/Organizations, Membership in -- see Other *Public Organizations/Boards*,

Membership in

Public Bidding

AO 90-002 AO 92-001 AO 99-011

Public Employee Deferred Compensation Plan -- see Deferred Compensation Plan

Public Interest Corporation -- see Non-Profit Organizations

Public Interest Law Firms -- see also Lawyers/Law Firms

AO 99-014, Question 2

Public Meetings in Private Offices -- see Open Meetings Law

Public Members of Boards

AO 88-003 AO 98-001

Public Office, Running for -- see Running for Public Office

Public Organizations/Boards, Membership in -- see Other *Public* Organizations/Boards,

Membership in

Public Perception -- see Appearance of Conflict of Interest

Public-Private "Partnership"

AO 01-003 (co-sponsoring continuing ed. program)

Public Transportation -- see also Transportation, Board of

Transportation, Department of

General Statutes

Quasi-Judicial Proceedings -- see also Quasi-Legislative Proceedings

AO 99-014 (extensive discussion; seminal decision)

AO 00-004

AO 00-003

AO 00-006

AO 00-008

AO 01-001, footnote 3, page 4 (higher degree of impartiality required)

AO 01-004 (grant award is a quasi-judicial-type decision)

AO 02-002 (disciplinary action against a license-holder; former student)

AO 03-002 (general discussion re Public Official's membership in related trade association) AO 04-001 (petition for approval of specific product; converted from rulemaking; hybrid action)

Quasi-Legislative Proceedings

-- see also Quasi-Judicial Proceedings

AO 99-014 (major decision on the subject)

AO 00-004

AO 00-006

AO 00-007

AO 00-008

AO 02-001 (policy decision of whether to require insurance coverage for license applicants)

AO 03-002 (general discussion re Public Official's membership in related trade association)

AO 04-001 (hybrid action; petition for approval of specific product converted from rulemaking)

Radiation Protection Commission

AO 89-004

Railroad Board of Directors

AO 93-003 (covered by Executive Order Number One)

Real Estate Commission

AO 00-001

AO 02-001 (issues re appointment of industry representative to informal advisory committee)

Real Estate Interests

AO 83-004

AO 99-002

AO 99-014

Real Estate, Rental of

-- see Property Rental

-- see also Gifts & "Freebies"

Reasonable Measures to Prevent Conflict

AO 00-016

-- see also Due Diligence

Reasonable Person Standard

AO 00-005

AO 99-015

AO 99-016

"Reasonably Foreseeable Benefit"

-- see also Personal Interest

AO 90-003

AO 91-001 (detriment to competitor)

AO 93-002 (employees/former employees)

Reception and Dinner for Public Officials

-- see Dinner and Reception for POs

-- see also Gifts & "Freebies"

Recusal -- see also General Statutes

AO 83-004 AO 89-004 AO 90-001 AO 90-003 AO 91-001 AO 92-002 AO 93-002 AO 98-010 AO 99-007 (discuss but not vote) AO 99-008 (discuss but not lobby or vote) AO 99-018 AO 00-002 (discuss but not lobby or vote) AO 01-001 AO 01-004 (recusal from process includes discussion and "lobbying") AO 02-003 (decisions regarding licensees who were solicited on behalf of PAC) AO 04-001 (scope of; applicability to ad hoc advisory sub-committees) AO 05-002 (not a remedy for actual conflict caused by employer & employee on same board) -- see also Conflict of Interest; **Regional Housing Authority** AO 83-004 Ownership Interest in Regulated Business **Regional Transportation Authority** -- see also Transportation, Board of AO 00-003 Transportation, Department of Public Transportation General Statutes **Regulatory Boards** -- see also Licensing Boards AO 89-001 AO 90-003 AO 90-004 AO 91-001 AO 98-014 AO 98-019 AO 99-005 AO 99-008 AO 99-014 -- see also Financial Benefit Reimbursement, Travel AO 05-001, footnote 2 (receipt of per diem or travel reimbursement not a "financial benefit") Relationship, with Regulated Entities -- see also Relationship with Regulated AO 88-003 Persons AO 89-002 AO 89-003 AO 89-004 AO 90-001 AO 91-001

AO 98-019 AO 98-020 AO 98-026 AO 99-001 AO 99-005 AO 99-007 AO 99-016 AO 99-017 AO 01-003 (trade associations) AO 03-001 (contract employment with environmental advocacy organization) AO 03-002 (Public Official's membership in related trade association) AO 04-001 (Official's contract employment with applicant in quasi-judicial action) AO 05-003 (service on non-profit political research organization's fundraising committee) Relationship, with Regulated Persons -- see also Relationship with Regulated Entities AO 88-003 AO 89-002 AO 89-003 AO 89-004 AO 90-001 AO 91-001 AO 98-014 AO 98-019 AO 98-020 AO 98-026 AO 99-001 AO 99-005 AO 99-007 AO 99-016 AO 99-017 AO 01-003 (members of trade associations) AO 02-002 (board member/school owner's participation in former student's disciplinary action) AO 03-001 (contract employment with environmental advocacy organization) AO 03-002 (Public Official's membership in related trade association) AO 05-003 (service on non-profit political research organization's fundraising committee) Relinquishing Licenses/Certifications, Due to Appointment AO 99-017 Representation of Various Interests/Perspectives -- see also Designated Seats/Positions AO 88-005 (industry representatives on boards) AO 98-002 AO 98-021 AO 99-014 AO 03-002 (industry groups; Public Official's membership in related trade association) **Rental Property** -- see Property Rental -- see also Gifts & "Freebies"

AO 98-014

Research Triangle Institute

AO 98-005

Resignation of Board Member

AO 98-015

Retirement, State System

AO 98-022

Revenue, Dept. of

AO 97-002

AO 99-010

Reviewers, Certified

-- see Certified Reviewers

-- see also General Statutes

Reviewing Your Own Work

AO 99-017

"Revolving Door"

-- see Post-State Service/Employment

-- see also Quasi-Legislative Proceedings;

Petition/Petitioner for Rulemaking

Rules & Rulemaking

AO 90-003

AO 99-014

AO 00-007

AO 04-001 (scope of recusal in rulemaking; consultant for petitioner for rulemaking)

AO 04-002 (lawsuits challenging Rules Review Commission's rejection of proposed rules)

Rules Review Commission

AO 04-002 (lawsuits challenging RRC's

rejection of proposed rules)

-- see also Quasi-Legislative Proceedings; Petition/Petitioner for Rulemaking; Rules & Rulemaking

Running for Elected Public Office

AO 89-006

Schools, Licensing of

AO 00-004

School Owners on Boards

-- see also Appointments to Boards

AO 88-005

AO 99-001

AO 02-002 (board member/school owner's participation in former student's disciplinary action)

"Sea Grants"

AO 00-005

-- see also Advisory Committees Committees Grants

Secondary Employment

AO 99-012

Secretary of Administration, Acceptance of Gifts

-- see Administration, Secretary of,

Acceptance of Gifts;

-- see also Gifts

Securities -- see Stocks/Stock Funds

Self-dealing

AO 83-004

AO 89-002

AO 89-004

AO 89-005

AO 98-002

AO 98-010

AO 98-015

AO 99-001

AO 99-002

AO 99-005

AO 99-008

AO 99-017

Seminars/Presentations

-- see also Continuing Education, Teaching;

AO 89-002

AO 96-001

AO 99-005

AO 01-003 (public body co-sponsoring continuing ed. program)

AO 05-001 (Hearing Aid Dealers & Fitters Board in-house programs)

Service on Same Public Body/Board

-- see also Employer-Employee Relationship

AO 05-002 (employer-employee; spouses)

Sharing "Profits" with Private Trade Association

AO 01-003 (public body sharing expenses/profits from continuing ed. program w/ trade ass'ns)

"Similarly Situated," Others

AO 83-003

AO 90-003

AO 91-001

AO 98-002

AO 99-008

"Site Visit," expense-paid -- see Expense-paid trips, meals, etc.

-- see also Gifts & "Freebies"

Social Events -- see also Gifts & "Freebies"

AO 00-001

Ski Condo, Rental of -- see Property, Rental

-- see also Gifts & "Freebies"

Solicitation, in general

AO 88-005 (of students for member-owned school)

AO 89-002 AO 90-002 AO 92-001 AO 97-003 AO 98-020 AO 99-005 AO 99-010 AO 00-007 AO 02-003 (soliciting donations from licensees on behalf of PAC) AO 05-003 (service on non-profit political research organization's fundraising committee) **Solicitation of Donations** AO 02-002 (soliciting donations from licensees on behalf of PAC) AO 05-003 (service on non-profit political research organization's fundraising committee) **Solicitation of Gifts** -- see also Gifts & "Freebies" AO 98-016 (from other State agencies) AO 99-010 (from other State agencies) Solicitation of Students for School/College -- see also Conflict of Interest: AO 88-005 Solicitation, in General Speaking Fees, Accepting -- see also Continuing Education, AO 89-002 Teaching/Sponsoring; AO 98-020 (but see 99-003; 05-001) Honoraria: AO 99-003 (but see 05-001) Gifts & "Freebies": AO 05-001 (discussing Engineers & Surveyors Bd) Seminars/Presentations; "Specific, Substantial, and Readily Identifiable Financial Interest" AO 04-001 (resulting from interest in client) "Special Funds" -- see University of NC System Speeches, Payment for -- see Speaking Fees, Accepting "Spirit" of the Executive Order -- see Executive Order, Overall Spirit of; **Sponsors, Continuing Education** -- see also Continuing Education AO 99-020 (but see 99-003) **Spousal Interests** -- see also Familial Interests AO 88-003 AO 92-002 AO 92-003 AO 99-011 AO 01-004 (spouse is mayor of town applying for grant)

AO 05-002, footnote 3 (husbands and wives serving on same board)

State Budget Policy

-- see also Executive Budget Act

AO 98-022

State Building Commission

AO 01-001

State Employees

AO 81-002

AO 83-003

AO 89-005

AO 90-002

AO 91-002

AO 92-003

AO 96-002

AO 97-001

AO 97-002

AO 98-011

AO 98-015

AO 98-016

10 00 010

AO 98-018

AO 99-012

State Employees' Financial Dealings with State Government

AO 98-016

AO 99-013

State Health Coordinating Council

AO 92-002

State Personnel Act, Applicability to Exempt -- see also State Personnel Law and Policy

- see also State Personnel Law and Policy General Statutes

Employees

AO 98-018

State Personnel Act, Board of Ethics involvement with -- see also Limitations on Board of Ethics' AO 98-022 Jurisdiction

State Personnel Law and Policy

AO 83-003

AO 96-001

AO 98-015

AO 98-018

AO 98-022

AO 99-012

State Property

AO 98-022

Statements of Economic Interest

AO 90-004

AO 96-002

AO 98-001

AO 98-018

AO 03-002 (listing Public Official's membership in related trade association on SEI)

Statutes/Laws

-- see General Statutes (NC)

Statutorily Described/Mandated

Positions on Boards

-- see Designated Seat/Position on Public Body

Statutory Per Diem or Travel Reimbursement

AO 05-001 (fn 2; not a "financial benefit")

-- see Per Diem; Travel Reimbursement

-- see also General Statutes

Statutory Prohibitions—State Law

AO 89-003

AO 89-006

AO 96-001

AO 98-015

AO 99-004

AO 99-012

AO 99-016

Stocks/Stock Funds

-- see also Mutual Funds

AO 88-003 (family holdings in regulated banks)

AO 89-003

AO 96-002 (divestiture of interests)

Students/Former Students

AO 00-004 (official's involvement in students' licensing matters)

AO 02-002 (board member/school owner's participation in former student's disciplinary action)

Subcommittee Membership

AO 00-002

AO 04-001

Substance Abuse Professional Certification Board

AO 99-011

Substantial, Readily Identifiable Financial Interest

AO 04-001

"Substantially Affecting" an Interest

AO 91-001

AO 98-002

AO 99-008

Tax-Exempt, non-profit corporation/organization

-- see Non-Profit Organizations

Teaching, as a Business Enterprise

AO 98-020

-- see also Continuing Education, Teaching

-- see also Continuing Education, Teaching

Teaching Review Classes for Licensing Exam

AO 99-005

AO 05-001 (Hearing Aid Dealers & Fitters Board in-house education programs)

Telephone, Use of State

AO 98-022

Time removed from potential conflict situation -- see also Conflict of Interest, Defined; AO 98-010 Former/Past association with an AO 98-014 (17 years since past service) organization or group AO 00-004 AO 00-008 (mayor of city 19 years ago; factors) AO 02-002 (former student of school owner/board member) AO 03-001 (former employment; "cooling off" period; case-by-case determination) **Title Examinations for Department of Transportation** -- see also Lawyers/Law Firms AO 99-004 -- see Professional Organizations/Trade "Trade Associations" Associations **Trade Groups** -- see Professional Organizations/Trade Associations **Trade Secrets/Information** -- see Confidential Information -- see also Financial Information Transportation, Board of -- see also Transportation, Department of AO 89-006 **General Statutes** AO 98-007 AO 99-004 AO 99-016 AO 00-003 AO 01-005 Transportation, Dept. of -- see also Transportation, Board of AO 98-007 **General Statutes** AO 98-009 AO 99-004 AO 99-012 AO 99-016 AO 01-005 Transportation, Public -- see Public Transportation -- see also Gifts & "Freebies" **Travel Expenses** AO 83-003 AO 90-002 AO 97-001 AO 98-011

Travel Reimbursement

AO 05-001, footnote 2 (receipt of per diem or travel reimbursement not a "financial benefit")

AO 05-001, footnote 2 (receipt of per diem or travel reimbursement not a "financial benefit")

Triangle Transit Authority -- see Regional Transportation Authority Trips, Expense-paid -- see Expense-paid trips -- see also Gifts & "Freebies" Trying to Influence a Decision/Vote -- see "Lobbying"/Trying to Influence ... **Unbiased, Impartial Decision-Maker** -- see also Due Process AO 99-014 -- see "Lobbying"/Trying to influence a **Undue influence** decision or vote **United Way Campaign** -- see also Gifts & "Freebies" AO 98-016 (solicitation of gift incentives) **University of North Carolina System** AO 89-005 (service on bank boards; "special funds") **Unrelated Lawsuits/Litigation** – see "Lawsuits/Litigation" "Using" Official Position for Private Benefit - see Improper use of official position AO 02-003 (soliciting funds for private organization) AO 05-001 (using position to promote private programs) **Using Public Position to Promote Private Business** -- see Promoting Business through Public Position **Utilities Commission** AO 83-003 AO 89-003 AO 96-001 Vehicles, State -- see Motor Vehicles, State-Owned -- see also Gifts & "Freebies" Vendors AO 90-002 -- see also Property, Rental AO 92-001 AO 97-003 (donating computer equipment) AO 99-002 (rental of ski condo) AO 99-011 Whole Industry, Decisions Affecting -- see Industry as a Whole, decisions affecting Wives and Husbands -- see Spousal Interests -- see also Familial Interests

"Wolfpack Club"

AO 99-015

-- see also Athletic Booster Club

Working Together & Serving on Same Board -- see also Employer-Employee Relationship AO 05-002 (serving on same board actual conflict of interest)

End of COMPREHENSIVE INDEX OF ADVISORY OPINIONS

Bob: NOTE – Informational page – do NOT put on web site; for working purposes only.

Updated through Advisory Opinion: AO-05-003 (June 23, 2005) (Lt Gov – NCFREE)

Draft through *Preliminary* Advisory Opinions (*not* approved by Board yet – do <u>not</u> put on web until approved):

-- AO-05-003 (June 23, 2005) (Lt Gov – NCFREE)